REMARKS:

Claims 6 and 15 have been cancelled, and the subject matter of claims 6 and 15 incorporated in claims 1 and 10 respectively.

Claims 1-19 stand rejected under 35 U.S.C. §103(a) as unpatentable over Marko in view of Sonnenrein. This rejection is traversed.

Marko in view of Sonnenrein fails to teach or suggest that the primary diagnostic script *recreates known problem sequences when executed*, as claimed in claims 1, 10 and 19. At most, Marko in view of Sonnenrein teach relaying data messages sent from a vehicle to a response center and attempting to classify the data in the message received by the response center according to known potential irregularities. See, Marko column 4, lines 33-65. In contrast, the claimed primary diagnostic script *recreates*, not *classifies*, known problem sequences.

The Examiner relies on Marko for the teachings, and correctly does not rely on Sonnenrein. The Examiner's citation to column 4 lines 60-65 is misplaced. At most, Marko teaches at column 4, lines 41-65 (including the Examiner's citation):

> tion center **13**. Server **15** initiates an attempt to classify the data in the received message according to known potential irregularities for the subject vehicle. The classification is first attempted by comparing with an existing diagnostic database **16** which the manufacturer has compiled based on known performance parameters of the vehicle and its operational components (e.g., powertrain or other control modules, actuators, sensors, etc.). The comparison may be based on pattern recognition or other analysis to identify "hits" or matches between the incoming vehicle data and data patterns stored in database **16**, each hit being representative of component failures or potential failures apparent in the data. Typically, the data from the vehicle is reduced in complexity prior to pattern matching by an operation known as feature extraction. In this operation, complex time series signals are analyzed to extract "features" which are useful for diagnostic purposes. These include, but are not limited to, parameters such as the mean signal value, its variance, its maximum value, minimum value, number of zero crossing per unit time, weighted moving average value etc. The set of "features" extracted is determined from an analysis of the efficacy of each feature for diagnostic purposes, and when enough features are identified to distinguish all known problems from each other and normal operation, the feature set is deemed satisfactory for diagnostic purposes.

Therefore, the primary diagnositic script is not provided to the mobile vehicle, as claimed. Instead Marko merely provides a diagnostic script to a vehicle (see above). Execution of the Marko 'diagnostic script' results in data being sent to a call center. In contrast, execution of the claimed primary diagnostic script recreates known problem sequences when executed. In other words, execution of the claimed primary diagnostic script results in the telematics equipped vehicle undergoing a known and desired problem sequence. While Marko teaches the desirability of accessing recorded data reflecting problems (col. 1, lines 47-51), Marko does not teach that the vehicle can be provided with a primary diagnostic script to *intentionally* recreate a problem sequence.

Marko teaches the desirability of obtaining significant advantages in quick and efficient detection and prediction of failure or non-optimal performance of complex systems (column 1, lines 55-59) – Marko does not teach the desirability of *causing* failures or non-optimal performance. The Examiner cannot conclusively assert that one of ordinary skill in the art would be motivated to provide a telematics unit with a primary diagnostic script to recreate a known problem sequence on execution based on Marko's teachings.

Accordingly, Marko teaches how to *identify* problem sequences by classifying data. Such a teaching, even combined with Sonnenrein, fails to teach or suggest recreating *known problem sequences* when executed. Sonnenrein does not cure this defect.

Claims 2-5, 7-9, 11-14, and 16-18 depend directly or indirectly from claims 1 or 10 respectively, and are therefore patentable over Marko for at least the same reasons.

Withdrawal of the rejections to claims 1-5, 7-14, and 16-19 is requested.

SUMMARY:

Claims 1-5, 7-14, and 16-19 as set forth herein fully satisfy the requirements of 35 U.S.C. §§102, 103, and 112. In view of foregoing remarks, favorable consideration and early passage to issue of the present application are respectfully requested.

Dated: **February 10, 2006**

Respectfully submitted,
Hitan S. Kamdar, et. al.

GENERAL MOTORS CORPORATION
General Motors Legal Staff
Mail Code 482-C23-B21
300 Renaissance Center
Detroit, Michigan 48265-3000
313/665-4714

CARDINAL LAW GROUP
Suite 2000
1603 Orrington Avenue
Evanston, Illinois 60201
Phone: (847) 905-7111
Fax: (847) 905-7113

Anthony Luke Simon
Registration No. 34,434
Attorney for Applicants

Frank C. Nicholas
Registration No. 33,983
Attorney for Applicant